

IDAHO BOARD OF COSMETOLOGY
Meeting of the Board
February 7, 2000

Meeting called to order at 8:45 a.m. Roll call: Carol Martin, Chair; Christy Stutzke, Vice-Chair; Patrick Ulsh, Kimber Hicks, Geneal Thompson, Secretary. Bureau staff present: Tomas E. Limbaugh, Bureau Chief, Budd Hetrick, Deputy Bureau Chief; and Helen Piippo, Cosmetology Board Secretary.

Others present: Amanda Hanson, Vicki Ellis, Carolyn Groesbeck, Karen McDougal, Lisa Salisbury, Janice Cover, Jessica Wallers, Brigit Gulley, Lori Wright, Shirleen Park, Sid Day, Linda Williams, LaDonn Goodfellow, Ronda Clark, Tami Nethery, Angie Kirkpatrick, Suzi Meuser, Eric Negaard, and Peggy Foster.

Motion by Ms. Stutzke to accept the minutes of the October, 1999 and November, 1999 board meetings. Seconded by Mr. Ulsh. Motion carried.

Motion by Mr. Hicks that Ms. Stutzke be elected Board Chair. Seconded by Mr. Ulsh, carried. Motion by Ms. Stutzke that Ms. Martin be elected Board Vice-Chair. Seconded by Ms. Thompson, carried. Motion by Mr. Hicks that Ms. Thompson be elected Board Secretary. Seconded by Ms. Stutzke, carried.

Mr. Limbaugh reviewed with the board the financial report of February 4, 2000 as to the direct and indirect expenses.

Mr. Limbaugh distributed contract to the board. Motion by Mr. Hicks to table the contract issue to allow time to review. Seconded by Ms. Martin. Motion carried.

Mr. Hetrick advised board of new updated application for board review. Motion by Mr. Hicks to table apprentice registration form until able to review. Seconded by Ms. Martin. Motion carried.

Ms. Stutzke read report from Mr. Kersey, in his absence, regarding Complaint/Investigative/Inspection Report. Ms. Stutzke informed attendees that there is a new investigator with the Bureau, Michelle Bissy.

Motion by Ms. Martin to table memorandum from Kirsten Wallace until able to review contents. Seconded by Ms. Thompson. Motion carried.

Mr. Hetrick gave update on Laser Grade computer testing. Laser grade does have the national exam at two Idaho testing centers (Mountain Home and Blackfoot), and they are pursuing obtaining other testing sites in Idaho. There should be additional testing sites available by March 1st. The agreement with the Bureau and Laser Grade, allowing the Bureau to be a testing center, is being reviewed. There was discussion on testing sites in Washington. Mr. Hicks questioned whether the testing would include law portion. Mr. Hetrick stated that this is the plan.

Motion by Mr. Hicks to go into executive session. Seconded by Mr. Ulsh, carried.

Motion by Ms. Stutzke to come out of executive session. Seconded by Mr. Ulsh, carried.

Motion by Mr. Hicks that a letter be drafted by legal counsel to COS102699TUL regarding apprenticeship and letters to COS122099EDW, Todd Bybee and Shellie McKeown as to following guidelines for apprenticeships. Seconded by Ms. Stutzke. Motion carried.

Motion by Mr. Hicks that a letter be sent to Carolyn Shelley, with the same instructions as to the apprenticeships. Seconded by Mr. Ulsh. Motion carried.

Ms. Martin read letter from Dee Dee's regarding esthetician exam dates to be changed. There was discussion as to having dates same as cosmetology exams. The board stated

that these dates are set for the entire year and that the schools may coincide student registrations with these dates. Motion by Mr. Hicks that a letter be sent advising that no changes will be made in the exam dates. Seconded by Ms. Stutzke. Motion carried.

There was discussion regarding the failure of schools to submit student registrations as required. Motion by Mr. Hicks to allow COS012900HAN student hours from October 1999 to present and that letter of reprimand be sent to the school. Seconded by Ms. Stutzke. Motion carried.

There was discussion on the equipment requirements for schools. The board stated that minimal standards are set for schools in both law and rule. It was noted that the investigators duties are to insure that the schools are operated according to law and rule. It is not necessary or expected that investigators have intimate knowledge of equipment operation.

SCHOOL OWNERS

Mr. Negaard asked the board about the practical exam and rater scoring. The Board noted that raters from all over the state are being used for the exams. There was discussion regarding examinee failure to complete necessary tasks within the allowable exam time frame. The board reported that the exam areas of thermal curling, chemical relaxing and highlighting are showing the most problems for examinees. It was reported that all examiners are graded and NIC has given top ratings to Idaho examiners.

It was reported that the Governor has made the following appointments:

Mr. Ulsh was re-appointed to the Board for three (3) years;

Ms. Waters was appointed for a 3-year examiner position; and

Ms. Fitzgerald was appointed for a 3-year examiner position.

The Governor has yet to make an appointment to fill an examiner position, vacant due to a resignation.

CORRESPONDENCE:

Correspondence was reviewed and no action was taken.

Letter from SMT regarding the pass-fail statistical reports from National-Interstate Council for 1/1/99 – 12/31/99.

Letter from National-Interstate council regarding the price increases for NIC exams beginning July 1, 2000. The written examination will be \$12.50 and the practical examination will be \$15.00.

Review of information on MMA and banning of the same.

Review of National-Interstate council directory. This will be updated as to officers on the Board.

Motion by Mr. Hicks to go into executive session. Seconded by Mr. Ulsh, carried.

Motion by Mr. Ulsh to come out of executive session. Seconded by Ms. Stutzke, carried.

Mr. McKeown, legal counsel, addressed the Board as to COS02699TUL and COS122099EDW, regarding apprenticeships not being allowed. Mr. McKeown asked that the apprenticeships be allowed to continue, due to a lack of clarity in the regulations. Mr. McKeown referred to Board of Cosmetology Rule 700.03 governing esthetics apprenticeships. There was discussion as to primary and contiguous licensing, and the requirement that apprentices be supervised by an instructor and another licensee, who must be in the same salon as the apprentice. The Board determined that the requirements were clear, and that supervision of any apprentice must be provided from within the same establishment as that in which the apprentice receives training. Carl Erickson, legal counsel for Board of Cosmetology, was instructed to draft letters to all interested parties.

Meeting recessed at 11:30 a.m.

Meeting reconvened at 1:30 p.m.

Ms. Stutzke brought the meeting to order.

There was discussion on NIC rater training to be held March 23, 24 and 25 2001. Exam boards will be held on March 26.

The National-Interstate Council contract was reviewed. #1,2 and 3 will remain the same. There was discussion on #6 as to training being bi-annually or annually. There was discussion for clarification as to raters being NIC certified.

Ms Stutzke will contact NIC as to issues on contract while Board is in session. Ms. Martin informed the Board that training booklets are being redone for easier use. Ms Thompson asked to have one more alternate examiner for training.

There was discussion on inserting a section to clarify NIC's support and defense of the exam.

Ms Stutzke informed the board that all examiners must be certified, and that new examiners must become certified at the available training. NIC will not defend non-certified examiners. As stated in #6, recertification will be at the discretion of the training officer and the Board.

The Board will add a sentence to #8, noting that NIC fees will not increase until July 1, 2000.

Board reviewed the updated apprentice application form. Mr. Hicks made motion to accept revised apprenticeship form dated 2/2000. Seconded by Ms. Stutzke, carried.

The Board discussed the NIC regional conference to be held April 28 – 30, in Arizona. Mr. Hicks asked that he be excused from this conference. Board requested that registrations be submitted and approved for payment.

Discussion was held on the testing times for the March instructor written and practical examinations. The cosmetology, nail and esthetics testing was also discussed.

Discussion was held on the suggestion of making a tape recording of the instructions for exam, to insure consistency at each exam. Ms. Thompson and Ms. Martin felt that this would be impersonal. The board will review this matter at a future meeting.

Motion made by Mr. Hicks to accept recommendations set out in Kirsten Wallace's memo dated 1-28-00. Seconded by Mr. Ulsh, carried.

Board reviewed the letter to Governor Kempthorne requesting the removal of an examining assistant for failure to perform duties. Motion made by Mr. Hicks to send letter. Seconded by Ms. Stutzke, carried.

Ms. Thompson reviewed the letter sent to the Board of Medicine regarding regulation of laser hair removal.

Discussion was held on COS020400KJE and the issuance of instructor license. Ms. Stutzke made motion to issue instructor license. Seconded by Mr. Ulsh, carried. Discussion held on the policy requiring a cosmetologist to relinquish their RC license when getting an instructor license. Motion made by Ms. Stutzke that registered cosmetologists not be required to submit their RC licenses prior to obtaining an instructor license. Seconded by Mr. Hicks, carried.

Board reviewed cosmetology rules for revision.

Motion by Mr. Ulsh to go into executive session. Seconded by Ms. Thompson, carried.

Motion by Mr. Hicks to come out of executive session. Seconded by Ms. Stutzke, carried.

Meeting recessed at 4:51 p.m.

Meeting reconvened at 9:00 a.m. on 2-8-00.

Mr. Limbaugh reviewed board contract with bureau. Discussion held regarding inspection and complaint process. There was discussion as to the accounting process for budgeting. Motion by Mr. Hicks to approve contract. Seconded by Mr. Ulsh, carried.

Board reviewed cosmetology rules for revision. On Rule 500 (06) Record of Training, Ms. Stutzke objected as to number of operations being taken out of rules. The opinion was to change the wording noting that these numbers are minimums only. There was discussion.

Motion by Mr. Hicks, that Mr. Kersey be sent a letter requesting any recommended changes for Rule 800 concerning inspections and sanitation. Seconded by Ms. Stutzke, carried.

Motion by Mr. Hicks that Mr. Limbaugh and Ms. Piippo be requested to join the Board at the regional and national NIC meetings. Seconded by Mr Ulsh, carried.

The Board discussed Primary and Contiguous establishments and a possible independent contractor license.

There was discussion on changing the renewal of licenses to 2 years, 3 years or 5 years.

Motion by Mr. Ulsh to adjourn meeting. Seconded by Ms. Stutzke, carried.

Meeting adjourned at 3:45 p.m.

<hr/> Christy Stutzke, Chair	<hr/> Carol Martin, Vice Chair
<hr/> Geneal Thompson, Secretary	<hr/> Patrick Ulsh
<hr/> Kimber Hicks	<hr/> Thomas E. Limbaugh, Bureau Chief